

event that the requirement is made final, Applicants reiterate the election of claims 28, 29, 32-37, 40-43 and 53 (Group III), holding the remaining claims (Groups I, II, and IV-VIII) in abeyance under the provisions of 37 C.F.R. §1.142(b) until final disposition of the elected claims.

## II. MISCELLANEOUS MATTERS

During the telephone interview, the Examiner also expressed to the undersigned counsel that some claims existing in the Application depend from a cancelled claim 1. Applicants respectfully point out that all claims which previously had been dependent from claim 1 (and are still in the Application) now depend from claim 24, or another claim still present in the Application. Similarly, claim 21 (along with claims 1-22 and 23) was cancelled in the Preliminary Amendment under 37 C.F.R. §1.115, filed June 11, 2002 (upon the filing of the Request for Continued Examination, RCE). For the Examiner's convenience, enclosed is a copy of the Preliminary Amendment. In the Office Action of August 27, 2002, it was also pointed out that claim 25 was dependent from the cancelled claim 21 (see page 2 of the Office Action). Nonetheless, as set forth in Appendix A of the Preliminary Amendment, claim 25 is dependent from claim 24.<sup>1</sup>

During the telephone conversation, the Examiner initially suggested that all claims be cancelled and that a new set of claims (which, as Applicants understood, does not include non-elected claims) be substituted therefor. When Applicants' counsel responded that Applicants do not wish to cancel, at this juncture, non-elected claims, the Examiner said that the cancellation of all claims is not necessary. If the Examiner

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<sup>1</sup> Claim 25 was introduced in the Application by an Amendment filed May 31, 2001 and since that time it has also depended from claim 24.

would prefer that Applicants substitute a replacement set of claims for the existing claims, they would be pleased to do so and would appreciate an indication thereof (by telephone or facsimile) to the undersigned counsel.

III. REQUEST FOR ALLOWANCE

All claims are in condition for allowance, an indication of which is solicited. In the event any clarification with respect to this document is necessary, or any issues are outstanding, Applicants would appreciate a telephone call to the undersigned counsel to resolve such issues in an expeditious and effective manner.

It is believed that no additional fees are due in connection with this filing. However, in the event that any fees are necessary, the Commissioner is hereby authorized to charge our Deposit Account No. 50-0206.

Respectfully submitted,

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By: 

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